

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
OCT 13 2010
[Signature]
CLERK

*
VOLTAGE PICTURES, LLC, * CIV. 10-MC- 100
*
Plaintiff, *
*
vs. * **MOTION TO QUASH AND**
* **OBJECTIONS TO SUBPOENA**
*
DOES 1-5,000, *
*
Defendants. *

COMES NOW Midcontinent Communications, a non-party to the above-entitled matter, which has been served with a Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action, and asserts objections to that subpoena and moves the Court to quash that Subpoena to allow Midcontinent Communications a reasonable opportunity to alert subscribers of a release of information, consistent with its privacy policies and statements adopted in consideration of federal law, before requiring such disclosure and for a failure to assure adequate protections against undue burden or expense, consistent with FED.R.CIV.P. 45.

Dated at Sioux Falls, South Dakota, this 13th day of October, 2010.

DAVENPORT, EVANS, HURWITZ &
SMITH, L.L.P.

[Signature]

Sandra Hoglund Hanson
206 West 14th Street
PO Box 1030
Sioux Falls, SD 57101-1030
Telephone: (605) 336-2880

Facsimile: (605) 335-3639

E-mail: shanson@dehs.com

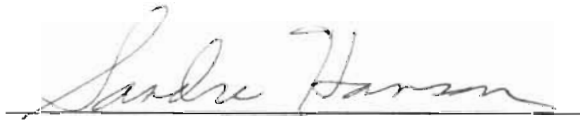
Attorneys for Midcontinent Communications

CERTIFICATE OF SERVICE

Sandra Hoglund Hanson, one of the attorneys for Midcontinent Communications, hereby certifies that a true and correct copy of the foregoing “Motion to Quash and Objections to Subpoena” and “Affidavit of Marjorie L. Johnson” was served by mail upon:

Nicholas A. Kurtz
Dunlap Grubb Weaver
199 Liberty St., SW
Leesburg, Virginia 20175
Telephone: 571-252-3311
E-mail: nkurtz@dglegal.com
Attorneys for Plaintiff

on this 13th day of October, 2010.

A handwritten signature in cursive script, appearing to read "Sandra Hanson", is written over a horizontal line.